

Title II-A

“Teacher and Principal Training and Recruiting Fund”

The Complaint Process for Non-Profit Private School Officials

The SEA is required to have complaint procedures in place
(Sec. 34 *CFR* 299.10–12).

Under Title II-A “Teacher and Principal Training and Recruiting Fund”, a state education agency (SEA) and a local education agency (LEA) are required to provide to private school students and their teachers and other education personnel Title II-A services that are equitable to those provided to public school students and their teachers and other education personnel. Private school officials have recourse through the complaint process if they do not believe their students and their teachers and other education personnel are receiving equitable services.

Aspects of the complaint process that the private school officials should know:

- A private school official has a right to complain to the state educational agency (SEA) that:
 - the LEA did not engage in a timely and meaningful consultation process with non-profit private school officials during the design, development, and implementation of the LEA’s professional development needs assessment or did not give due consideration to address the needs/views provided by the private school officials.
 - The SEA did not engage in a timely and meaningful consultation process with appropriate non-profit private school officials to provide to those children and their teachers or other educational personnel, on an equitable basis, professional development services that address the needs/views provided by the private school officials.
- The SEA is required to have complaint procedures in place as required by Sec. 34 *CFR* 299.10–12. Included in these procedures is a reasonable time by which the SEA must respond in writing to the complaint.
- No later than 30 days following the written response by the SEA, or in the event the SEA fails to resolve the complaint within a reasonable period of time, the private school official may appeal the decision of the SEA to the secretary of the U.S. Department of Education. Such appeal must be accompanied by a copy of the SEA’s written response, if available, and a complete statement of the reasons supporting the appeal.
- The secretary must complete an investigation of the complaint and resolve the appeal within 120 days after receipt of the appeal.

For further information, please contact Leslie James, Title II-A Consultant at the Nevada State Department of Education, at 775-687-9134.